IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.67 of 2006

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Dated: June 12, 2006

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Between:

S. Sugunamba Devi, W/o. Dhanraj, aged
about 54 years, Occ: Garden Attendant,
R/o.16-1-178, Saidabad, Hyderabad.

… Petitioner

And

The Director, Defence Electronic Research
Lab, Chandrayanagutta Lines, Hyderabad.

… Respondent

Order:

This writ petition has been filed seeking Mandamus directing the respondent to grant her continuity of service, seniority and for payment of salary with effect from 15-09-1994 to 09-03-2003.

2. The facts of the case, in brief, are that the petitioner was appointed as 'Aya' on 26-06-1987 at Baby Crèche maintained by Defence Electronic Research Lab, Chandrayanagutta, which was started as a welfare measure to provide care to the women employees working with the respondent. It is the case of the petitioner that she was also working as casual helper in a temporary post. On the ground that she was not allowed to attend duties with effect from 15-09-1994, petitioner earlier preferred W.P.No.5208 of 1995, which was disposed of by this Court by order dated 19-04-2002, directing the respondents to consider the case of the petitioner for regularization in any suitable post. Consequent thereto, the petitioner was appointed as Garden Attendant on regular basis with effect from 10-03-2003. It is stated, thereafter, the petitioner made a representation to the respondent for grant of service benefits, seniority and for payment of salary in the time scale, retrospectively, from 15-09-1994. She approached this Court by way of this writ petition on the ground that her request is not being considered.

3. It is to be noticed that there was no such post earlier and the petitioner was appointed on consolidated pay. The orders of appointment came to be passed in view of the directions issued by this Court for regularization of her services. As the petitioner was not appointed in a cadre post, the question of giving her seniority from 15-09-1994 or to give benefit for payment of salary in the time scale does not arise. There is no basis to grant the relief as prayed for.

4. The writ petition is devoid of merit and is accordingly dismissed. No order as to costs.

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JUSTICE R. SUBHASH REDDY.

June 12, 2006

MRR